

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE LITIGATION,

MDL No. 1456

CIVIL ACTION: 01-CV-12257-
PBS

Judge Patti B. Saris

THIS DOCUMENT RELATES TO

State of Nevada v. Abbott Labs., Inc. et al.,
Case No. CV-02-00260 (Nevada I),

State of Nevada v. American Home Products, et al.,
CA NO. 02-CV-12086-PBS (Nevada II), and

State of Montana v. Abbott Labs., Inc., et al.,
CA No. 02-CV-12084-PBS

[PROPOSED] CASE MANAGEMENT ORDER NO. [23]

February ___, 2006

Saris, U.S.D.J.

Case Management Order No. 15 is amended as follows:

1. All parties shall complete document production by February 28, 2006.
2. The parties shall complete depositions by March 31, 2006. The depositions shall be conducted in accordance with the Fed. R. Civ. P. 30. In accordance with the Rule, additional depositions or testimony beyond the 7 hours provided by the Rule may be taken with leave of Court or by written stipulation of the parties. This includes depositions previously taken in the cases.
3. All written discovery shall be served in time to be completed by March 31, 2006. All written discovery shall be served and completed in accordance with the Federal Rules. This includes written discovery previously served in the cases.

4. Plaintiffs shall file any expert reports on liability issues by April 14, 2006.
5. Defendants shall file any expert reports on liability issues by May 5, 2006.
6. With respect to any motions for summary judgment, briefing will proceed according to the following schedule:

Motions for Summary Judgment	May 5, 2006
Oppositions to Motions	June 2, 2006
Replies	June 16, 2006
Sur-replies	June 30, 2006
Hearing	[to be determined by the Court]

SO ORDERED.

HON. PATTI B. SARIS
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that I, Steve W. Berman, an attorney, caused a true and correct copy of the foregoing, **[PROPOSED] CASE MANAGEMENT ORDER NO. [23]** to be delivered to all counsel of record by electronic service pursuant to Paragraph 11 of the Case Management Order No. 2, by sending on February 7, 2006, a copy to LexisNexis File & Serve for Posting and notification to all parties.

By /s/ Steve W. Berman
Steve W. Berman
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